

## **DISCLAIMER**

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## **APPLICATION OF**

**VIRGINIA ELECTRIC AND POWER COMPANY  
D/B/A DOMINION VIRGINIA POWER**

**CASE NO. PUE010154**

**For a certificate of public convenience  
and necessity for facilities in Loudoun  
County: Beaumeade-Beco 230 kV  
Transmission Line and Beaumeade-  
Greenway 230 kV Transmission Line**

## **HEARING EXAMINER'S RULING**

**June 12, 2001**

On March 15, 2001, as revised on March 23, 2001, Virginia Electric and Power Company d/b/a Dominion Virginia Power ("Dominion Power") filed an application for approval and certification of electric facilities in eastern Loudoun County. By Commission orders dated April 9, and 12, 2001, the Commission docketed the application; appointed a hearing examiner to conduct further proceedings; established a procedural schedule for the filing of prepared testimony and exhibits; scheduled a hearing in Leesburg, Virginia; and directed Dominion Power to provide public notice of its application.

On June 8, 2001, Protestant Regency Homeowners Association, Inc. ("Regency Homeowners"), by counsel, filed a Motion for Extension of Procedural Schedule. In support of the Motion, Regency Homeowners states that it needs additional time in which to develop information concerning the full extent of the impacts of the proposed route. Regency Homeowners also needs additional time in which to conduct discovery and retain expert witnesses. Regency Homeowners further states that the following Protestants join it in requesting the procedural schedule proposed in the Motion: Loudoun County, The City of Fairfax, Dupont Fabros, and Northern Virginia Regional Park Authority. Counsel states that Dominion Power and Protestants Islamic Saudi Academy, Worldcom, Inc. *et al.*, and Broadlands do not oppose the extended procedural schedule. Commission Staff takes no position on the request. Counsel was unable to contact counsel for Cameron Chase Homeowners Association.

I find the proposed extended schedule should be adopted. Counsel are further advised that the Commission's Rules of Practice and Procedure codified at 5 VAC 5-20-10 *et seq.* ("New Rules") adopted by the Commission on April 30, 2001, became effective on June 1, 2001. However, the New Rules will not negate the provisions of any order entered prior to June 1, 2001. Consequently, any inconsistency between the Commission's April 9 and 12, 2001, orders and the New Rules should be resolved in favor of the Commission's orders of April 9 and 12, 2001. Accordingly,

**IT IS DIRECTED:**

(1) That the public hearing scheduled for July 19, 2001, in Leesburg, shall remain as docketed to accept the statements of public witnesses;

(2) That, on or before August 21, 2001, Protestants shall file protests, testimony, and exhibits;

(3) That, on or before August 31, 2001, the Commission Staff shall file its testimony and exhibits;

(4) That, on or before September 24, 2001, Dominion Power shall file its rebuttal testimony and exhibits; and

(5) That the evidentiary hearing shall be convened at 10:00 a.m. on October 3, 2001, in a Commission courtroom.

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Alexander F. Skirpan, Jr.  
Hearing Examiner